

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

ADAM GROSCH,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:06CV204-P-A

**TUNICA COUNTY, MISSISSIPPI;
TUNICA COUNTY DEPUTY SHERIFF
DORNAE MOSBY; HWCC-TUNICA, INC.;
AND HOLLYWOOD CASINO
CORPORATION,**

DEFENDANTS.

ORDER

These matters come before the court upon Defendants Tunica County and Deputy Dornae Mosby's motion in limine seeking to prevent the plaintiff from presenting any evidence or seeking damages not previously requested in his complaint or set forth in discovery [85] and Defendant HWCC-Tunica, Inc.'s omnibus motion in limine [86]. After due consideration of the motions and the responses filed thereto, the court finds as follows, to-wit:

All defendants move in limine to prevent the plaintiff from offering evidence on or seeking damages for anything other than what has previously been disclosed in the Second Amended Complaint and discovery. The motions should be granted in this regard. Therefore, the plaintiff is limited in seeking damages and presenting evidence thereon that he has already disclosed. This would exclude damages for lost wages, loss of earning capacity, harm to reputation, emotional distress or mental anguish. This conclusion does not exclude, however, punitive damages since these were sought in his Second Amended Complaint and in discovery.

Defendant HWCC-Tunica, Inc.'s motion is an omnibus motion in limine wherein Hollywood seeks to exclude sixteen different areas of testimony. The first motion seeking to limit the plaintiff's request for compensatory damages to those already pled and properly disclosed is granted as

discussed above. The remaining fifteen motions in limine should be denied because (1) Hollywood failed to cite authorities, (2) the plaintiff in his response avers he will not address the particular issue; (3) the matters sought to be excluded are more properly characterized as arguments that are fair game for trial; and/or (4) the motions are premature.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendants Tunica County and Deputy Dornae Mosby's motion in limine seeking to prevent the plaintiff from presenting any evidence or seeking damages not previously requested in his complaint or set forth in discovery [85] is **GRANTED**; and

(2) Defendant HWCC-Tunica, Inc.'s omnibus motion in limine [86] is **GRANTED IN PART AND DENIED IN PART** as discussed above.

SO ORDERED this the 2nd day of July, A.D., 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE